

AUG 30 2010

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2010 08 3631

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IN THE COURT OF COMMON PLEAS
BUTLER COUNTY, OHIO

BRENDA S. WEIST) CASE NO.:
210 N. Sutphin)
Middletown, Ohio 45042)
) JUDGE
Plaintiff,)
)
v.)
)
NATIONAL CREDIT SOLUTIONS, LLC) **COMPLAINT FOR MONEY**
c/o Ct Corporation System, Statutory Agent) **DAMAGES AND OTHER RELIEF**
1300 East Ninth Street)
Cleveland Ohio 44114)
)
Please also serve:)
)
NATIONAL CREDIT SOLUTIONS, LLC)
c/o Brett Evans, Statutory Agent)
3675 East I-240 Service Road)
Oklahoma City, OK 73135)
)
Defendant.)

Now comes Ms. Brenda S. Weist, by and through her undersigned counsel,

and for her claims against defendant, National Credit Solutions, LLC, states as follows:

FACTS COMMON TO ALL CAUSES OF ACTION

1. Plaintiff, Brenda S. Weist (the "Plaintiff"), is an individual residing in Butler County, Ohio.

2. Defendant National Credit Solutions, LLC., (the “Defendant”), is a “debt collector” as defined by the Fair Debt Collection Practices Act (“FDCPA”) (15 USCA §1692, et seq.).
3. Defendant has been, and continues to, supply certain false, misleading and derogatory information to various credit reporting agencies about Plaintiff.
4. Plaintiff has demanded, in writing, that Defendant cease publishing this false and derogatory information to third parties, however, Defendant has failed and refused to cease in these actions.

COUNT I: DEFAMATION

5. Plaintiff incorporates each of the preceding paragraphs as if fully set forth herein.
6. Defendant made false and malicious publications against Plaintiff with an intent to injure Plaintiff’s reputation, or to expose her to public contempt, ridicule, shame, or disgrace or to affect her injuriously in her trade, business or profession.
7. Plaintiff has been damaged by Defendant’s defamation, and will continue to be damaged, until such matters are fully corrected.
8. Despite notice received by Defendant and from Plaintiff to correct the information being reported and to discontinue such supply of defamatory information, Defendant failed and refused to do so.
9. Defendant’s defamation is the cause-in-fact and proximate cause of the damages suffered by Plaintiff, which includes loss of credit, damage to

reputation, trade, and business, in addition to further damages set forth at or before the end of this Complaint.

COUNT II: VIOLATIONS OF FAIR CREDIT REPORTING ACT (“FCRA”)

10. Plaintiff incorporates each of the preceding paragraphs as if fully set forth herein.
11. Pursuant to the provisions of the Fair Credit Reporting Act (“FCRA”), Section 1681 et seq., Title 15, U.S.Code, upon notification by Plaintiff to Defendant that certain information it was reporting was inaccurate, Defendant had a duty to investigate such inaccurate reporting of information and to correct any inaccuracies.
12. Defendant willfully and/or negligently failed and/or refused to correct the false and misleading information reported, as set forth above.
13. Based upon the above cited willful and/or negligent violations of the FCRA, Plaintiff seeks damages against Defendant, in an amount set forth at or before the end of this Complaint, in addition to punitive damages and reasonable attorneys’ fees as provided in said Act.

COUNT III: VIOLATION OF FAIR DEBT COLLECTIONS PRACTICES

ACT (“FDCPA”)

14. Plaintiff incorporates each of the preceding paragraphs as if fully set forth herein.
15. Pursuant to the provisions of the Fair Debt Collections Practices Act (“FDCPA”), Section 1692(e)(2), Defendant had a duty to refrain from making false representations concerning the amount or legal status of any

debt, or using false information to collect the debt and from collecting any amount unless such amount is expressly permitted by law.

16. Defendant violated the provisions of the FDCPA by intentionally and/or negligently supplying the various credit reporting agencies with the false information, as set forth above and by attempting to collect a debt not permitted by law.
17. Defendant's conduct in attempting to collect from Plaintiff has further violated the FDCPA.
18. Based upon the above cited willful and/or negligent violations of the FDCPA, Plaintiff seeks damages against Defendant in an amount set forth at or before the end of this Complaint, in addition to punitive damages and attorneys' fees as provided in said Act.

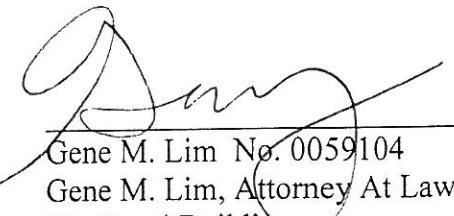
COUNT IV: CONSUMER SALES PROTECTION ACT
("CSPA")

19. Plaintiff incorporates each of the preceding paragraphs as if fully set forth herein.
20. By violating the FDCPA, Defendant has violated the CSPA. (See *Liggins v. May Company* (1977), 53 Ohio Misc. 21, 373).
21. By violating the FCRA, Defendant has violated the CSPA.
22. As a result of Defendant's violations of the CSPA, Plaintiff is entitled to compensatory damages, treble damages and attorney's fees.

WHEREFORE, Plaintiff prays for judgment against Defendant in the amount of \$15,000.00, and for punitive damages in the amount of \$25,000.00, reimbursement for all reasonable attorneys' fees expended, along with the affirmative relief that

Defendant be ordered to immediately act to correct all false, inaccurate, incorrect and misleading information contained within the reports of all credit reporting companies, in addition to any further relief as this Honorable Court shall find, make, and Order in this Cause, with all Court and Litigation costs of this action to be assessed against Defendant.

Respectfully submitted by:



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CINDY CARPENTER



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6.17.2010*

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NATIONAL CREDIT SOLUTIONS L L C
C/O BRETT EVANS S/A
3675 EAST I-240 SERVICE RD
OKLAHOMA CITY, OK 73135

Date: September 2, 2010 Case No. : CV 2010 08 3631
BRENDA S WEIST vs. NATIONAL CREDIT SOLUTIONS L L C et al

**SUMMONS ON COMPLAINT BY CERTIFIED MAIL
COURT OF COMMON PLEAS, BUTLER COUNTY, OHIO**

To the above named party: You are hereby summoned to answer a complaint that has been filed against you in the Butler County Common Pleas Court by the plaintiff(s) named herein. A copy of the complaint is attached.

You are required to serve upon the plaintiff(s) attorney, or upon the plaintiff(s) if there is no attorney of record, a copy of your answer to the complaint within 28 days after receipt of this summons, exclusive of the day of service. The answer must be filed with this court within three days after service on Plaintiff's attorney.

The name and address of the plaintiff(s) attorney is as follows:

GENE M LIM
LEPRI BUILDING 8775 OLDE EIGHT RD
NORTHFIELD, OH 44067

If you fail to appear and defend, judgment by default may be taken against you for the relief demanded in the complaint.

CINDY CARPENTER
Butler County Clerk of Courts

Cindy Carpenter

By:Renee Bruce
Deputy Clerk



CINDY CARPENTER

BUTLER COUNTY CLERK OF COURTS
GOVERNMENT SERVICES CENTER
315 HIGH STREET, SUITE 550
HAMILTON, OHIO 45011-6060

ADDRESS SERVICE REQUESTED



7160 3901 9849 1022 7720

FIRST CLASS



CV 2010 08 3631
L000 2308 18
NATIONAL CREDIT SOLUTIONS L
C/O BRETT EVANS S/A
3675 EAST I-240 SERVICE RD
OKLAHOMA CITY, OK 73135